

ORIGINAL

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FILED

DISTRICT COURT OF GUAM

AUG 10 2005

MARY L.M. MORAN
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERICA REYES BORJA and
SEAN MICHAEL COLE
a/k/a SHAWN COLE,

Defendants.

CRIMINAL CASE NO. 05-00049

SUPERSEDING INDICTMENT

**CONSPIRACY TO DISTRIBUTE
METHAMPHETAMINE
HYDROCHLORIDE**

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii),
and 846]
(Count I)

**POSSESSION OF
METHAMPHETAMINE
HYDROCHLORIDE WITH
INTENT TO DISTRIBUTE**

[21 U.S.C. §§ 841(a)(1) and
(b)(1)(A)(viii)]
(Count II)

THE GRAND JURY CHARGES:

**COUNT I - CONSPIRACY
TO DISTRIBUTE METHAMPHETAMINE HYDROCHLORIDE**

Between and on or about May 2005, the exact date unknown, to May 14, 2005, in the District of Guam and elsewhere, the defendants, ERICA REYES BORJA, SEAN MICHAEL COLE a/k/a SHAWN COLE, and Ricky Anthony Nelson, and other unknown co-conspirators, did unlawfully, intentionally, and knowingly combine, conspire, confederate and agree together and with others, to distribute 92 grams, net weight, of methamphetamine

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1 hydrochloride a/k/a "ice," a schedule II controlled substance, in violation of Title 21, United
2 States Code, §§ 841(a)(1), (b)(1)(A)(viii), and 846.

3
4 **COUNT II - POSSESSION OF METHAMPHETAMINE**
5 **HYDROCHLORIDE WITH INTENT TO DISTRIBUTE**

6 On about May 14, 2005, in the District of Guam, the defendant herein, ERICA REYES
7 BORJA, did unlawfully and knowingly possess with intent to distribute 92 grams, net weight, of
8 methamphetamine hydrochloride a/k/a "ice," a schedule II controlled substance, in violation of
9 Title 21, United States Code, §§ 841(a)(1) and (b)(1)(A)(viii).

10 Dated this 10th day of August, 2005.

11 A TRUE BILL.

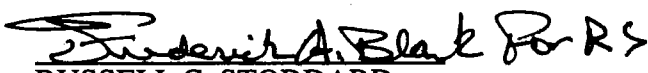
12 
13 
14 Foreperson

15 LEONARDO M. RAPADAS
16 United States Attorney
17 Districts of Guam and CNMI

18 By:

19 
MARIVIC P. DAVID
Assistant U.S. Attorney

20 Approved:

21 
22 RUSSELL C. STODDARD
23 First Assistant U.S. Attorney

Place of Offense:

City Hagåtña

Related Case Information:

Country/Parish N/ASuperseding Indictment X Docket Number 04-00049Same Defendant X New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes X NoDefendant Name Erica Reyes Borja

Allisas Name _____

Address _____

Tamuning, GUBirth date XX/XX/1974 SS# XXX-XX-6693 Sex F Race PI Nationality U.S.

U.S. Attorney Information:

AUSA Marivic P. DavidInterpreter: X No _____ Yes

List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release**RECEIVED**

AUG 10 2005

DISTRICT COURT OF GUAM
HAGATNA, GUAM

U.S.C. Citations

Total # of Counts: 2_____ Petty _____ Misdemeanor X Felony

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set	1 <u>21 U.S.C. §§ 941(a)(1), (b)(1)(A)(viii), and 946</u>	<u>CONSPIRACY TO DISTRIBUTE METHAMPHETAMINE HYDROCHLORIDE</u>	<u>1</u>
Set	2 <u>21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)</u>	<u>POSSESSION OF METHAMPHETAMINE HYDROCHLORIDE WITH INTENT TO DISTRIBUTE</u>	<u>2</u>

Date: 8/9/05 Signature of AUSA: _____

Place of Offense:

City HagåtñaCountry/Parish N/A

Related Case Information:

Superseding Indictment X Docket Number 05-04-00049Same Defendant _____ New Defendant X

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes X NoDefendant Name Sean Michael ColeAllisas Name Shawn Cole

Address _____

Dededo, GUBirth date XX/XX/1977 SS# XXX-XX-0036 Sex M Race C Nationality U.S.

U.S. Attorney Information:

AUSA Marivic P. DavidInterpreter: X No _____ Yes

List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release**RECEIVED**

AUG 10 2005

DISTRICT COURT OF GUAM
HAGATNA, GUAM

U.S.C. Citations

Total # of Counts: 1_____ Petty _____ Misdemeanor X _____ FelonyIndex Key/CodeDescription of Offense ChargedCount(s)Set 1 21 U.S.C. §§ 941(a)(1),1 (b)(1)(A)(viii), and 946CONSPIRACY TO DISTRIBUTEMETHAMPHETAMINE HYDROCHLORIDE1Set 2 _____Date: 8/9/05 Signature of AUSA: _____